
**U.S. Department of the Interior
Bureau of Land Management
Uncompahgre Field Office
2505 S. Townsend Ave.
Montrose, CO 81401**

Finding of No Significant Impact (FONSI)

DOI-BLM-CO-S050-2013-0027 EA

Location: Township 14 South, Range 90 West, portions of Sections 10, 11, 14 and 15, 6th Prime Meridian, Gunnison County, Colorado

Project Name: Sunset Trail Area Coal Exploration Plan

Applicant: Ark Land Company (ALC) on behalf of Mountain Coal Company (MCC)

Background

The BLM Uncompahgre Field Office has completed an Environment Assessment (EA) # CO-S050-2013-0027 that analyses the effects of drilling 10 exploration holes including temporary road access and drill pad construction. The exploration drilling would be on National Forest System land with Federal minerals.

The USDA Forest Service completed an Environmental Impact Statement in 2012 for the Federal Coal Lease Modifications COC-1362 & COC-67232. That document analyzed the impacts of surface disturbing activities. The Sunset Trail Area Coal Exploration EA addresses the site-specific impacts now that a plan of operations has been submitted with surface disturbing activities identified. The EA tiers to, and incorporates by reference, the impacts identified in the 2012 FEIS.

The Grand Mesa, Uncompahgre, and Gunnison National Forest (GMUG) is a cooperating agency as the surface managing agency. BLM must have concurrence of the surface managing agency for the approval terms of the exploration plan as they must consent to approval of the exploration plan.

Finding of No Significant Impact

Based on the analysis of potential environmental impacts contained in CO-S050-2013-0027 EA, I have determined that the proposed action will not have a significant effect on the human environment. The proposed action includes the lease stipulations (listed in Appendix A of the EA). No additional conditions of approval are needed.

Rationale

This FONSI is based on my consideration of the Council on Environmental Quality's (CEQ) criteria for significance (40 CFR 1508.27), with regard to the context and the intensity of impacts described in the EA.

Context

The proposed action is in Gunnison County, CO, within the Minnesota Creek area. The 10 exploration holes would be located on Federal coal leases COC-1362 and COC-67232. The holes would be drilled

on National Forest System land with Federal minerals. The proposed action is located in an area containing shrubland and mixed conifer/aspen forest. The area is also within the Sunset Colorado Roadless Area. The area of analysis of the site-specific EA is generally the modifications to the federal lease area (Figure 2 in the EA).

Intensity

1) Impacts that may be both beneficial and adverse.

Beneficial impacts of this project would be openings created that may provide foraging habitat for boreal owls and olive-sided flycatchers, along with discovering the quantity and quality of coal within the lease area. Adverse impacts include temporary, short term impacts to vegetation and wildlife habitat, increased road traffic during drilling activities, and increased surface disturbance.

2) The degree to which the proposed action affects public health and safety.

Current lease stipulations would reduce the potential impacts to public health and safety to a level that is not significant. The scale of this project, and the short-term duration of construction, coupled with lease stipulations results in a low risk to public health and safety.

3) Unique Characteristics of the geographic area, such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.

The area is within the Sunset Colorado Roadless Area. This roadless area has been modified from past activities and additional activities will be similar to past activities. Overall, the roadless character will not be additionally affected. No historic or cultural resources are present within the project area. There are no identified parklands, prime farmlands, or Wild and Scenic Rivers in proximity to the project area. Any wetland impacts would be minor and would comply with the requirements of the Clean Water Act.

4) The degree to which the effects on the quality of the human environment are likely to be highly controversial.

The quality and use of the human environment in the project area is understood, has been analyzed, and is not highly controversial from a scientific standpoint. There may be public opinion controversy over the project occurring in a roadless area, however, the proposed use is in compliance with the Colorado Roadless Rule.

5) The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.

The proposed action is not unique for this area, as coal exploration been previously approved. The BLM and Forest Service have experience in implementing and monitoring similar projects, the effects of which have been found to be predictable. Effects from the proposed action are not highly uncertain or involving unique or unknown risks.

6) The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.

Consenting to coal exploration activities would not create a precedent for future coal extraction. Any future proposals would have to be evaluated on their own merits based on the issues and impacts related to the location, timing, and intensity of each action. The proposed action does not set a precedent for a future consideration.

- 7) *Consideration of the action in relation to other actions with individually insignificant but cumulatively significant impacts.*

Other projects, including future coal mining, are foreseeable, but it is not anticipated that cumulative impacts of any significance would occur, as analyzed in the FEIS for the Federal Coal Lease Modifications COC-1362 & COC-67232. The limited scale of activity from the proposed coal exploration creates minimal individual effects, as well as minimal cumulative effects when added to the existing situation and other potential activities.

- 8) *The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historic resources.*

Field surveys were completed; no cultural or historic sites would be affected by this decision. The SHPO was consulted and concurred with these findings. If any unidentified sites are discovered during implementation, they would be avoided or mitigated so that they would not be impacted (per lease stipulation, see Appendix A of the EA).

- 9) *The degree to which the action may adversely affect an endangered or threatened species or its critical habitat.*

No endangered, threatened, candidate or proposed species would be adversely affected by the project. All listed species occurring within the analysis area were considered.

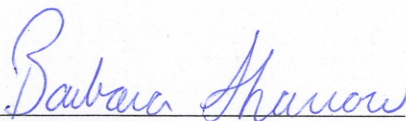
- 10) *Whether the action threatens a violation of federal, state, or local law or requirements imposed for the protection of the environment.*

The proposed action does not threaten violation of any laws or regulations imposed for the protection of the environment.

Determination

This Finding of No Significant Impact is based on the information contained in the EA and my consideration of criteria for significance (40 CFR 1508.27). It is my determination that: 1) the implementation of the proposed action will not have significant environmental impacts; 2) the proposed action is in conformance with the Uncompahgre Basin Resource Management Plan; and the amended Land and Resource Management for the GMUG; and 3) the proposed action does not constitute a major federal action having significant effect on the human environment. Therefore, an Environmental Impact Statement is not necessary.

Approved:



Barbara Sharrow
Field Manager
BLM, Uncompahgre Field Office

6-27-13
Date